REMARKS

The Office Action dated May 17, 2007 has been received and duly noted.

The Examiner objected to the drawings, contending that the stops recited in the specification were not shown in the drawings. With the amendment mailed August 24, 2005, revised drawings were filed which included reference numeral 120 to coincide with the stops 120 discussed on page 11 of the specification. Accordingly, Applicant submits there is proper support for the cited stops in the specification and the figures.

With respect to the Examiner's objection to a fastener as recited in Claim 16, this component of the base unit has been deleted from amended Claim 16, thereby obviating the Examiner's objection.

The pending claims were rejected as being anticipated by or as being obvious in view of U.S. Patent 6,443,918 to Wang. The claims have been reviewed and amended, and Applicant submits that the amended claims are patentably distinguishable from the prior art, including Wang.

The present invention is directed to an orthotic device and method whereby the patient or user wears the device during recuperation from damage to the hand and/or wrist. As disclosed in the present application, the protective device provides for normal movement of the hand and wrist by the user, although that use is constrained. This is in sharp contrast to the '918 Patent, which relates to an adjustable splint. As disclosed in the '918 Patent, the latch 70 engages a selective one of the notches 38 to adjust the position of the hand support with respect to the forearm support, as shown in Figure 4. Once this selected position

is obtained, the doctor or therapist locks the latch in position, and the splint stays in that position for an extended time period. This is in sharp contrast to the present invention, which allows the wearer to immediately move the wrist and hand relative to the forearm.

There is a significant distinction between an adjustable splint and the orthotic device of the present invention. More particularly, an orthotic device of the present invention is moveable when worn by the user, and has a different purpose and function than an orthotic brace, which essentially is a rigid device when worn by the user.

Independent Claim 1 has been reviewed and amended to particularly recite that the hinge system movably connects the metacarpal unit to the base unit when worn by the user. Such a hinge system is clearly distinguishable from Wang, wherein the device when worn by the user does not allow movement of metacarpal unit with respect to a base unit. Dependent Claims 11 and 12 have been amended to improve clarity.

Independent Claim 16 has been amended in a manner similar to the amendments to Claim 1 in reciting that the hinge system movably connects the metacarpal unit to the base unit when worn by the user. In addition, Claim 16 recites another significant feature of the invention, namely that the external casing of the metacarpal unit is configured for positioning over the dorsal surface of the user's hand. This is clearly distinguishable from the Wang patent, wherein the palm segment 35 is positioned over the palm surface of the hand. Adjustable splint as disclosed in the '918 Patent thus renders the user's hand substantially

ineffective, since the palm is covered by the rigid support. As shown in the present application, the rigid support for the hand is provided over the dorsal surface of the hand, and the flexible strap which is positioned over the palm surface of the hand allows for substantial flexibility and use of the hand by the user.

Independent Claim 23 has been amended to recite that the metacarpal unit swivels in a lateral fashion due to the hinge system when the orthotic device is worn by the user. Although this claim was rejected by the Examiner as being anticipated by Wang '918, Applicant submits that the forearm support 14 of the '918 Patent is pivotally connected at swivel 50 to the hand segment 12, which allows upward or downward movement of the hand support, as shown in Figure 4, prior to the device being worn by the user. The referenced hinge system does not, however, allow for the highly desirable swiveling of the metacarpal unit relative to the base unit in a lateral fashion when the device is worn by a user, as recited in Claim 23.

Independent Claim 27 has been amended to recite that the metacarpal unit swivels in a lateral fashion relative to the base unit when the orthotic device is worn by the user. Dependent Claim 28 is amended in a manner similar to the amendment to Claim 11.

Independent Claim 30 has been amended to recite that a metacarpal unit swivels in a lateral fashion relative to said base unit due to said hinge system when the orthotic device is worn by the user, and also recites that the metacarpal unit includes an external casing which is positioned over the dorsal surface of the

user's hand. This further distinguishes over the cited art. Dependent Claims 32 and 33 have been amended in a manner discussed above.

In view of the above, early allowance of the application is requested.

Respectfully submitted,

Loren G. Helmreich
Reg. No. 29,389

Date: June 18, 2007

BROWNING BUSHMAN P.C.
5718 Westheimer, Suite 1800
Houston, Texas 77057-5771
Tel.: (713) 266-5593
Fax: (713) 266-5169

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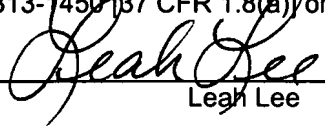

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